

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

STATE OF OKLAHOMA, et al.,)
)
)
Plaintiffs,)
)
)
v.) Case No. CIV-21-719-F
)
)
UNITED STATES DEPARTMENT)
OF THE INTERIOR, et al.,)
)
Defendants.)

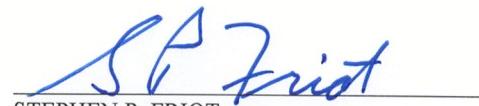
JUDGMENT

Pursuant to the Order entered on this date, the Court enters judgment in favor of defendants and against plaintiffs on all claims asserted in this action either by the plaintiffs or by the defendants, whether by way of claim or counterclaim. As to Count I of the counterclaims asserted by the defendants (for a declaratory judgment), the court further declares, pursuant to the Declaratory Judgment Act, 28 U.S.C. § 2201, that:

- The Surface Mining Control and Reclamation Act, 30 U.S.C. §§ 1201, *et seq.*, preempts application of Oklahoma state laws regulating surface coal mining and reclamation activities within the exterior boundaries of the Creek Reservation; and
- The Surface Mining Control and Reclamation Act and its implementing regulations designate the Office of Surface Mining Reclamation and Enforcement as the exclusive regulatory authority over surface coal mining

and reclamation activities within the exterior boundaries of the Creek Reservation in the absence of an approved tribal regulatory program.

ENTERED this 9th day of November, 2022.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE

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